

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed March 24, 2005. Claims 1-13 were pending in the Application. In the Office Action, Claims 1-13 were rejected. Claims 1-13 remain pending in the Application. Applicants respectfully request reconsideration and favorable action in this case.

In the Office Action, the following actions were taken or matters were raised:

SECTION 102 REJECTIONS

Claims 1 and 3-10 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,725,377 issued to Kouznetsov (hereinafter "*Kouznetsov*"). Applicants respectfully traverse this rejection.

Of the rejected claims, Claim 1 is independent. Applicants respectfully submit that *Kouznetsov* does not disclose or even suggest each and every limitation of independent Claim 1. For example, independent Claim 1 recites a "mobile device operable in a mobile telecommunications network" having "a memory module" and "an operating system operable to execute an intrusion detection application stored in the memory module." Applicants respectfully submit that *Kouznetsov* does not disclose or even suggest "an intrusion detection application stored in the memory module" of a "mobile device operable in a mobile telecommunications network" as recited by independent Claim 1, nor has the Examiner explicitly identified any such disclosure in *Kouznetsov*. Thus, for at least this reason, *Kouznetsov* does not anticipate independent Claim 1.

Claims 3-10 that depend from independent Claim 1 are also not anticipated by *Kouznetsov* at least because they incorporate the limitations of Claim 1 and also add additional elements that further distinguish *Kouznetsov*. Therefore, Applicants respectfully request that the rejection of Claims 3-10 be withdrawn.

SECTION 103 REJECTIONS

Claims 11-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,851,061 issued to Holland III et al. (hereinafter "*Holland*") in view U.S. Patent No. 5,557,742 issued to Smaha et al. (Hereinafter "*Smaha*"). Claim 2 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Kouznetsov* in view *Holland*. Applicants respectfully traverse these rejections.

Claim 2 depends from independent Claim 1. At least for the reasons discussed above, independent Claim 1 is in condition for allowance. Therefore, Claim 2 that depends therefrom is also in condition for allowance. Accordingly, for at least this reason, Applicants respectfully request that the rejection of Claim 2 be withdrawn.

Of the remaining rejected claims, Claim 11 is independent. Applicants respectfully submit that neither *Holland* nor *Smaha*, alone or in combination, discloses, teaches or suggests the limitations of independent Claim 11. For example, independent Claim 11 recites, at least in part, "an intrusion protection system management application, the management application operable to receive text-file input defining a network-exploit rule and convert the text-file input into a signature file comprising machine-readable logic representative of an exploit-signature." The Examiner admits that *Holland* does not disclose at least the above-referenced limitation(s) (Office Action, page 6), but the Examiner states that *Smaha* discloses such limitation(s), and that it would have been obvious to combine the purported teachings of *Smaha* with *Holland* to arrive at Applicants' invention as defined by Claim 11. Applicants respectfully disagree.

In the Office Action, the Examiner refers to reference numerals 20 and 12 as corresponding to the "intrusion protection system management application . . . operable to receive text-file input defining a network-exploit rule" recited by Claim 11 ("For instance, input mechanism shown on figure 1, ref. Num '20' receives input from any wide array of sources" (Office Action, page 6)). The Examiner then refers to the misuse engine 30 of *Smaha* as corresponding to "convert[ing] the text-file input into a signature file comprising machine-readable logic representative of an exploit-signature" recited by Claim 11 ("The misuse engine shown on figure 1, ref. Num '30' converts the input into events/signature and compare[s] it with the known signatures" (Office Action, page 6)). Thus, the Examiner

appears to refer to at least two different elements of the *Smaha* reference in order to piece together the purported functions of such elements to arrive at Applicants' "intrusion protection system management application" that "receive[s] text-file input defining a network-exploit rule and convert[s] the text-file input into a signature file comprising machine-readable logic representative of an exploit-signature" (emphasis added). Thus, for at least this reason, the Examiner's rejection of Claim 11 is improper.

Further, in the Office action, the Examiner asserts that the misuse engine 30 of *Smaha* "converts the input into events/signature and compare[s] it with the known signatures" (Office Action, page 6). Applicants respectfully disagree. The Examiner refers to figure 5a of *Smaha* and, in particular, reference numeral 144 of figure 5a which illustrates "convert to event" corresponding to "process inputs" indicated by reference numeral 12 of *Smaha* (Office Action, page 6; *Smaha*, figure 5a). *Smaha* appears to disclose that misuse engine 30 of *Smaha* receives process inputs 12 in the form of data and records from security state data source [14], log file data source 16, and audit trail records source 18 (*Smaha*, column 6, lines 1-5, figures 1 and 5a). *Smaha* also appears to disclose that misuse engine 30 converts the process inputs 12 into events and compares the events to signatures (*Smaha*, column 6, lines 9-11). Thus, *Smaha* appears to disclose that information such as log records and audit records are converted to an "event" (defined as "an instant security state of the system" at column 5, lines 7-8 of *Smaha*), and then *Smaha* compares the event to a signature. In contrast, Claim 11 recites "an intrusion protection system management application . . . operable to receive text-file input defining a network-exploit rule and convert the text-file input into a signature file comprising machine-readable logic representative of an exploit-signature" (emphasis added). Accordingly, neither the portion of *Smaha* referred to by the Examiner nor elsewhere in *Smaha* appears to disclose, teach or suggest at least this limitation(s) of Claim 11. To the contrary, in *Smaha*, the "convert to event" corresponding to reference numeral 144 of *Smaha* referred to by the Examiner is clearly not a "network-exploit rule" nor is the information referred to by the Examiner "convert[ed] . . . into a signature file comprising machine-readable logic representative of an exploit-signature" as recited by Claim 11. Therefore, for at least this reason also, Claim 11 is patentable over the cited references.

Moreover, Claim 11 recites “the node operable to transmit the signature file to a mobile device over a radio frequency link” (emphasis added). In the Office Action, the Examiner appears to ignore at least the emphasized portion of the above-referenced limitation(s) (“and the node operable to transmit the signature file to a radio frequency link” (Office Action, pages 6-7)). Applicants respectfully submit that neither *Holland* nor *Smaha*, alone or in combination, appears to disclose, teach or suggest that “the node [is] operable to transmit the signature file to a mobile device over a radio frequency link” as recited by Claim 11. Therefore, for at least this reason also, Claim 11 is patentable over the cited references.


Claims 12 and 13 depend from independent Claim 11. For at least the reasons discussed above, Claim 11 is patentable over the cited references. Therefore, Claims 12 and 13 are also patentable, and Applicants respectfully request that the rejection of Claims 12 and 13 be withdrawn.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

No fee is believed due with this Response. If, however, Applicant has overlooked the need for any fee due with this Response, the Commissioner is hereby authorized to charge any fees or credit any overpayment associated with this Response to Deposit Account No. 08-2025 of Hewlett-Packard Company.

Respectfully submitted,

By: 
James L. Baudino
Reg. No. 43,486

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Correspondence to:
L.Joy Griebenow
Hewlett-Packard Company
Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80527-2400
Tel. 970-898-3884